



PATENT

18
Response
J. Buyer
4/3/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kündig et al.
 Appl. No. : 09/380,534
 Filed : September 1, 1999
 For : A METHOD OF INDUCING A
 CTL RESPONSE
 Examiner : Michael Hayes

) Group Art Unit: 3763

) I hereby certify that this correspondence and all
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(Date)

Dale C. Hunt, Ph.D., Reg. No. 41,857

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OFFICE ACTION RESPONSE

United States Patent and Trademark Office
 P.O. Box 2327
 Arlington, VA 22202

Dear Sir:

This is in response to the official action mailed December 1, 2001 for the above-referenced patent application. Applicants wish to thank the Examiner for the thorough review of the instant application and his helpfulness during the interview on Jan 24, 2002.

REMARKS

Claims 1-21 and 39-65 remain presented for examination. All of the claims stand rejected in the Office Action. No claims have been amended, cancelled, or added herein.

Discussion of Rejection Under 35 U.S.C. § 102

The Office Action rejected Claims 1, 4, 7-10, 14, 39, 43-52, 55-59, and 61-65 under 35 U.S.C. § 102(b) as being anticipated by Martins et al. ("Martins") (U.S. Patent No. 4,455,142). To be anticipatory under 35 U.S.C. § 102, a reference must teach each and every element of the claimed invention. See *Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1379 (Fed. Cir. 1986).